

## REMARKS

Independent claim 1 is amended to provide a detailed definition of the dewaxing catalyst that is used in the dewaxing step of the claimed process and which provides for the required selectivity to yield the dewaxed oil as recited in the claim. Support for this amendment is found in the published specification in paragraphs [0037] and [0042] – [0051] and the examples.

Dependent claim 6 is amended in response to the Examiner's objection. It is respectfully submitted that this amendment obviates the Examiner's objection.

### **§103(a) Rejection of Claims 1-10 over Gilbert et al. (WO 02/070627) in view of Chen et al (US 4,851,109).**

It is respectfully submitted that with the specification of the composition of the dewaxing catalyst that the claims are patentably distinguishable over the cited combination of references. With the use of the specifically defined selective dewaxing catalyst composition in the claimed process, a particular feedstock may be processed to yield the dewaxed oil as recited in the claim to ultimately yield two or more base oil grades. This is clearly distinguishable over the cited references. The amendments to independent claim, thus, renders this rejection moot.

### **Provisional Obviousness-Type Double Patenting Rejection of Claims 1-10 over Copending Application No. 10/591,115.**

Upon the determination of allowable subject matter in the application, the Applicants will consider the possibility of filing a terminal disclaimer in order to obviate this provisional rejection.

Respectfully submitted,

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